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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of: Casey D. Morrow, *et al.*

Group Art Unit: 1632

Serial No.: 09/756,551

Examiner: J. Woitach

Filed: January 8, 2001

For: *ENCAPSIDATED RECOMBINANT
POLIOVIRUS NUCLEIC ACID AND METHODS OF
MAKING AND USING SAME*

Attorney Docket No.: UAI-004CPDV2CN

Commissioner for Patents
Washington, D.C. 20231

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August 20, 2002

Date of Signature and of Mail Deposit

By: *Peter C. Lauro*

Peter C. Lauro, Esq.
Registration No. 32,360
Attorney for Applicants

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT

Dear Sir:

This communication is responsive to the Office Action dated March 20, 2002 (Paper No. 9). A Request for a four-month extension of time and the requisite fee based on large entity status are being filed concurrently herewith. Prior to examination of the above-identified application, please amend the application as follows:

In the claims:

Please cancel claims 1-34 and 40-44 without prejudice or disclaimer.

Please amend claims 35, 38, 39 and 45 as follows:

35. (Amended) A method for delivering a protein or fragment thereof, to a subject, comprising administering, in a physiologically acceptable carrier, an effective